

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-10528-RCL

DENISE M. BARRY and JANE B.
GREEN,
Plaintiffs,

v.

ROBERT J. MORAN, PAUL A.
CHRISTIAN, WILLIAM
KESSLER, WILLIAM
HITCHCOCK, CITY OF BOSTON
FIRE DEPARTMENT, and JOHN
and/or JANE DOES 1-50.
Defendants.

DEFENDANTS' ASSENTED-TO MOTION
TO ENLARGE TIME TO FILE RESPONSIVE PLEADINGS
PURSUANT TO FED.R.CIV.P. 6(B).

NOW COME the Defendants, who respectfully move this Honorable Court pursuant to Fed. R. Civ. P. 6(b) for an extension of time to file a responsive pleading. As grounds for his motion, the Defendants state that:

1. The Defendants removed the above-entitled action to this Court from Suffolk Superior Court on March 18, 2005;
2. The Plaintiff has assented to the Defendants' request for more time to file responsive pleadings (Rule 7.1 certification included below);
3. Undersigned counsel requires additional time to investigate the Complaint and draft responsive pleadings;

4. The Defendants request an extension until April 29, 2005, to file responses to Plaintiff's Complaint; and,
5. Allowing this motion will not prejudice any party to the action and permitting the Defendants an extension to file responsive pleadings to Plaintiff's Complaint will further the interests of justice.

WHEREFORE, the Defendants respectfully request that this Honorable Court allow their motion to extend time to file responsive pleadings, and set the date for filing of responsive pleadings on or before April 29, 2005.

Respectfully submitted,

DEFENDANTS WILLIAM KESSLER,
WILLIAM HITCHOCK, CITY OF BOSTON
FIRE DEPARTMENT, PAUL A.
CHRISTIAN, ROBERT J. MORAN,
Merita A. Hopkins
Corporation Counsel

By their attorney:

/s/ Helen G. Litsas

Helen G. Litsas
Assistant Corporation Counsel
BBO# 644848
James M. Chernetsky
Assistant Corporation Counsel
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7.1 Certification

Undersigned counsel certifies that on April 25, 2005, pursuant to LR, D. Mass. 7.1(a)(2), she spoke with Plaintiff's counsel, Thomas Feeney, Esq., who assented to the Defendants request for more time to file responsive pleadings.

4/25/05
Date: _____

/s/ Helen G. Litsas

Helen G. Litsas, Esq.

CERTIFICATE OF SERVICE

I hereby certify that on this day, a copy of this document was served upon counsel of record for the Plaintiff via U.S. Mail to 39 Sheafe Street, Suite 1, Chestnut Hill, MA 02467.

4/25/05
Date: _____

/s/ Helen G. Litsas

Helen G. Litsas, Esq.